

EXHIBIT 8

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 - - -

5 IN RE: NATIONAL : MDL NO. 2804
6 PRESCRIPTION OPIATE :
7 LITIGATION :

8 : CASE NO.
9 THIS DOCUMENT : 1:17-MD-2804
10 RELATES TO ALL CASES:

11 : Hon. Dan A.
12 : Polster
13 - - -

14 Friday November 16, 2018
15 - - -

16 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
17 CONFIDENTIALITY REVIEW
18 - - -

19 Videotaped deposition of
20 JOHN HASSSLER, taken pursuant to notice,
21 was held at Golkow Litigation Services,
22 One Liberty Place, 1650 Market Street,
23 Suite 5150, Philadelphia, Pennsylvania
24 19103, beginning at 10:43 a.m., on the
above date, before Amanda Dee
Maslynsky-Miller, a Certified Realtime
Reporter.

25 - - -

26 GOLKOW LITIGATION SERVICES
27 877.370.3377 ph | 917.591.5672 fax
28 deps@golkow.com
29 - - -

1 MS. HILLYER: Objection to
2 form. Assumes facts not in
3 evidence.

4 BY MR. CRAWFORD:

5 Q. Who markets Fentora?

6 A. They are not -- they're not
7 promoted any longer.

8 Q. Fentora is no longer
9 promoted?

10 A. No.

11 Q. So -- but it's sold and
12 manufactured and distributed, Fentora,
13 correct?

14 A. Yes. It's manufactured by
15 Cephalon and sold and distributed by Teva
16 USA.

17 Q. And did Teva USA, at any
18 time, manufacture Fentora?

19 I'm sorry, did they, at any
20 time, market or promote Fentora?

21 A. After the acquisition of
22 Cephalon, Teva CNS had a pain care group.
23 Fentora was part of that pain care group,
24 and it did promote Fentora as part of

1 their sales effort.

2 Q. Is Teva CNS a separate Teva
3 company --

4 A. No.

5 Q. -- from Teva USA?

6 A. Not that I'm aware of. It's
7 a managerial structure.

8 Q. A division within Teva USA?

9 A. I'm not sure of how the
10 employees relate to the specific legal
11 entity structure.

12 The operation of the
13 business was to have all of the CNS
14 products, which included a pain
15 portfolio, under a CNS business unit.

16 But they may have had
17 employees that would have actually been
18 employed by different legal entities.
19 I'm not sure.

20 Q. Okay. I think that's one of
21 the other topics. We'll get into that.

22 So when did -- whatever Teva
23 entity was marketing and promoting
24 Fentora, when did they stop doing that?

1 A. The end of 2015.

2 Q. And is there a reason why
3 they stopped?

4 A. We had other products that
5 we were preparing to launch and needed to
6 apply our sales resources there.

7 Q. And what were those
8 products?

9 A. Just after that, Ajoyv --
10 I'm sorry, Austedo, which is a product
11 for Huntington's disease and tardive
12 dyskinesia, those products were coming to
13 market.

14 I'm trying to remember,
15 around that same time period we also had
16 a product called Zecuity, but that may
17 have been pulled off the market by that
18 point. I don't remember the specific
19 dates.

20 Q. Does any -- does Teva USA --
21 and when I say "Teva USA," I mean Teva
22 Pharmaceuticals USA, Inc.; is that how
23 you understand it?

24 A. Yes.

1 Q. Does Teva USA or any
2 Teva/Cephalon/Actavis entity owned under
3 the Teva Limited umbrella, manufacture,
4 market, sell, or promote any other opioid
5 product besides -- branded opioid product
6 besides Actiq or Fentora?

7 MS. HILLYER: Objection to
8 form.

9 But you can answer.

10 THE WITNESS: I'm trying to
11 remember all of the --

12 BY MR. CRAWFORD:

13 Q. Right. Does any Teva entity
14 that you're testifying for, or anyone
15 that you know of under the Teva umbrella,
16 manufacture, market, sell, or distribute
17 any branded opioid product besides Actiq
18 or Fentora?

19 A. Teva manufacturers a branded
20 product for Allergan.

21 Q. Is that Kadian?

22 A. Yes.

23 Q. Are there any other opioid
24 products that they manufacture or sell?

1 Q. So what did you do?

2 A. I spoke with Paula Williams
3 and Matt Day, Dolly Judge, to try to
4 assess whether Teva had relationships
5 with these organizations. I had reviewed
6 some of the grants that were made to
7 these organizations to understand the
8 structure, as well as reviewed policies
9 on the grant process at different points
10 in time.

11 I had also reviewed policies
12 related to Watson, and I believe -- I
13 believe Actavis, but Watson certainly, on
14 interaction with customers.

15 Let me just double check
16 that. I think that was the policy that I
17 had looked at. But I had reviewed a
18 number of documents to understand how
19 that process would work to provide grants
20 of support to these organizations.

21 Q. And the people you mentioned
22 are the people you thought or were told
23 by counsel were people that might be most
24 knowledgeable about these topics?

1 MS. HILLYER: Objection to
2 form.

3 THE WITNESS: Discussion
4 with counsel, as well as having
5 been the general manager, I had
6 worked with Matt and knew Matt had
7 experience in this area.

8 I was also familiar with
9 Paula and knew that she had worked
10 in this space. So it was -- I
11 followed up with her as well.

12 BY MR. CARTMELL:

13 Q. And let's talk first about
14 payments to these societies that are
15 listed on your Exhibit-1 and foundations
16 and medical boards and all these
17 organizations.

18 Why is it that Cephalon, for
19 instance, during the time it was selling
20 Actiq and then Fentora from 2000 to 2009,
21 why is it that Cephalon was making
22 payments to these organizations?

23 A. The organizations would
24 request grants to support educational

1 initiatives. And where those objectives
2 for those educational initiatives aligned
3 with Cephalon's educational objectives,
4 they would issue grants in support of
5 those proposals.

6 Educational grants had to be
7 independent of company influence over the
8 content, and there were letters of
9 agreement signed for those grants that
10 were issued that would specify that.

11 Q. Now, these -- for example,
12 let's talk about Cephalon first, these
13 payments to these organizations, the
14 request for those payments to be made to
15 these organizations, were those requests
16 made to the marketing department at
17 Cephalon?

18 A. Early on they could come
19 through marketing, and then would be
20 transferred to medical. Over time,
21 marketing was excluded from that and they
22 had to be made online for the request to
23 come directly in to medical.

24 Q. When was that, that

1 marketing was excluded, do you know? Was
2 that after the 2008 corporate integrity
3 agreement?

4 A. I don't know the specific
5 date of that. If you have the
6 independent grant policy, I know it's
7 listed in there. I just don't know the
8 date of that policy.

9 Q. But payments to these
10 organizations were not made just for
11 educational purposes, correct?

12 A. That's correct. There were
13 also payments that were sponsorships.
14 And corporate memberships were also made
15 to some of these organizations.

16 Q. Right. For instance, these
17 organizations, like the American Academy
18 of Pain Medicine or the American Pain
19 Society, some of those types of
20 organizations allow pharmaceutical
21 companies like Cephalon or Teva to
22 actually become members of the society or
23 the organization, correct?

24 A. Yes.

1 Q. And they may charge the
2 pharmaceutical company like Cephalon or
3 Teva a fee to be a member, correct?

4 A. Yes.

5 Q. And so I think when you
6 said -- what did you say, you called
7 those corporate membership payments?

8 A. Corporate sponsorships or
9 corporate memberships.

10 Q. So, in fact, I take it you
11 know that at Cephalon, and also at Teva,
12 those pharmaceutical companies, as well
13 as lots of other pharmaceutical companies
14 who sell opioids, have become, in the
15 past, members or corporate sponsors of
16 these companies, correct?

17 A. Yes.

18 Q. Or these organizations,
19 correct?

20 A. Yes.

21 Q. And that's thought to be --
22 within the companies, typically, that is
23 a sort of marketing-type of activity or
24 promotion-type activity, or it can be,

1 correct?

2 MS. HILLYER: Objection to
3 form.

4 THE WITNESS: Marketing can
5 issue sponsorships or can issue
6 membership payments, but they have
7 to be approved via our compliance
8 process.

9 BY MR. CARTMELL:

10 Q. Right. But do they come out
11 of the marketing budget?

12 A. They can.

13 Q. And also Cephalon and other
14 companies can pay, in these grants that
15 they pay these organizations and
16 societies for, publications or to help
17 with publications, for example, that
18 support the use of opioids, correct?

19 MS. HILLYER: Objection to
20 form.

21 THE WITNESS: The payments
22 that we make to these
23 organizations, or the grants that
24 are given, would be given for a

1 specific educational objective.

2 But we wouldn't control any
3 of the content of those materials
4 that are associated with that
5 grant.

6 MR. CARTMELL: I'm going to
7 object and move to strike that, I
8 don't think that answered my
9 question.

10 BY MR. CARTMELL:

11 Q. My question is a little
12 different. I'm not asking who controls
13 the content.

14 Cephalon and Teva and other
15 opioid selling pharmaceutical companies
16 have provided, I take it you know from
17 your experience, grants to these types of
18 organizations, pain organizations, that
19 the money can be used for publication of
20 papers or pamphlets, those types of
21 things, that support the use of opioids,
22 correct?

23 MS. HILLYER: Objection to
24 form. And asked and answered.

1 You can answer it again.

2 THE WITNESS: They may. But
3 they may not as well. They
4 typically are publications in
5 support of pain management, which
6 may include components of opioid
7 use.

8 BY MR. CARTMELL:

9 Q. And lots of these
10 organizations, like The American Academy
11 of Pain Medicine and American Pain
12 Society, the American Pain Foundation,
13 organizations like that will have annual
14 meetings, things like that?

15 A. Yes.

16 MS. HILLYER: Objection.

17 Beyond the scope.

18 BY MR. CARTMELL:

19 Q. And sometimes you know that
20 Cephalon and Teva, and other
21 pharmaceutical companies that sell
22 opioids, will make payments to those
23 organizations to help sponsor their
24 annual meetings that doctors come to,